

STATE OF WASHINGTON



OFFICE OF  
INSURANCE COMMISSIONER

<i>In The Matter of</i>	)	
	)	No: D04-216
SOUND FINANCIAL PARTNERS, INC.,	)	
a Licensed Agent.	)	CONSENT ORDER
	)	IMPOSING A FINE
	)	

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TO: Sound Financial Partners, Inc.  
7950 8<sup>th</sup> Avenue S.W.  
Seattle, WA 98106

The Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.02.080 and RCW 48.05.185, having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

**FINDINGS OF FACT:**

1. Sound Financial Partners, Inc. ("Sound" hereafter) is a licensed life and disability agent and is also an approved continuing education provider in the State of Washington.
2. On May 14, 2004, Sound requested that the Office of Insurance Commissioner provide it with a list of licensed life and disability agents in seven Washington counties, and through its authorized representative, Sound expressly certified and agreed in writing that the licensing records received would not be used for commercial purposes.
3. On May 18, 2004, based upon Sound's above-referenced certification and agreement, OIC provided the requested list to Sound, and on May 28, 2004, Sound used the list for wholly commercial purposes by mailing a letter to the agents on the list which solicited and recruited the agents to work for Sound selling Hartford Life and Annuity Company products which letter was contrary to Sound's certification and written agreement.

Based upon the foregoing Findings of Fact, the Commissioner makes the following:

## CONCLUSIONS OF LAW

1. RCW 48.05.185 and RCW 48.17.560 authorize the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of a company's certificate of authority and in lieu of suspension or revocation of an agent's license.
2. The Company's use for commercial purposes of the list of licenses provided by the OIC was contrary to Sound's written certification and agreement and was an improper use of the list under Washington's Public Disclosure Act, RCW 42.17.260.

## CONSENT TO ORDER

Sound wishes to resolve this matter without further administrative or judicial proceedings and hereby agrees to entry of the foregoing Findings of Fact and Conclusions of Law and consents to the following in consideration of its desire to resolve this matter without further administrative or judicial proceedings, and the Insurance Commissioner consents to settle the matter in consideration of the Company's payment of a fine and such other terms and conditions as are set forth below.

The Company hereby consents to the entry of this order and the foregoing findings of fact and conclusions of law and acknowledges its duty to comply fully with the applicable laws of the State of Washington.

The Company stipulates and agrees that it will cease and desist from any further commercial use of the agent list obtained from the OIC and that it will not make commercial use of any other such list it may obtain from the OIC in the future.

By agreement of the parties, the OIC will impose a fine of \$25,000 upon the Company, \$15,000 of which fine will be suspended on condition that the Company commits no further violations of the statutes which are the subject of this order for a period of two years following entry of this order. The Company understands and agrees that failure to comply with the statutes which are the subject of this Order during the two-year period following entry of this shall constitute grounds for recovery of the suspended portion of the fine.

Pursuant to RCW 48.05.185 and RCW 48.110.130, failure to pay the fine timely shall constitute grounds for the revocation or denial of Sound's agent license and approval as a continuing education provider and for the recovery of the fine in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2004.

Sound Financial Partners, Inc.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Printed Corporate Title: \_\_\_\_\_

## **ORDER OF THE INSURANCE COMMISSIONER**

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. Sound Financial Partners, Inc. is ordered to pay a fine in the amount of \$25,000, of which amount the sum of \$15,000 is suspended upon the condition that the Company fully complies with the laws of the State of Washington which are the subject of this Order for the next two years.

2. The Company's failure to pay the fine within thirty days from the date of entry of this order shall result in the revocation of Sound's agent license and continuing education provider approval, and in the recovery of both the suspended and unsuspended amounts of the fine through a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington.

ENTERED AT TUMWATER, WASHINGTON, this \_\_\_\_ day of \_\_\_\_\_, 2004.

MIKE KREIDLER,  
Insurance Commissioner

By: \_\_\_\_\_  
Charles D. Brown  
Staff Attorney  
Legal Affairs Division